

# **EXHIBIT A**



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October 1, 2019

**REQUEST TO BE FILED UNDER SEAL**

Lara Treinis Gatz, Esq.  
Assistant United States Attorney  
United States Attorney's Office  
610 Federal Plaza  
Central Islip, New York 11722

**Re: U.S. v. Christopher McPartland and Thomas Spota  
17-CV-0587 (JMA)**

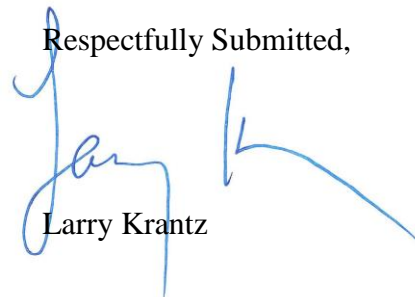
Dear Ms. Gatz:

We are writing pursuant to Federal Rule of Criminal Procedure 16(b)(1)(C), to advise you that the defendants may call Dr. Alan Jacobs as an expert witness at the trial in this matter. His qualifications are reflected in the attached CV. The following is a summary of the opinions as to which he may testify. All of these opinions are based on his background, education and experience, as well as his review of James Hickey's medical records for his two hospitalizations (in August 2013 and October 2015). We reserve the right to supplement this list:

1. His expert opinion, to a reasonable degree of medical certainty, as to the meaning and significance of various aspects of James Hickey's medical records, both from 2013 and 2015, including but not limited to his symptoms and signs documented by physicians upon admission, patient history, symptoms and signs during hospitalization, diagnoses, tests performed, incidents while hospitalized, treatments and medications he received and other procedures employed while hospitalized, and discharge instructions.
2. His expert opinion, to a reasonable degree of medical certainty, as to the effects of alcohol and alcoholism on memory, cognition and brain function generally, as well as his opinion as to how these general principles apply to the likely effects on James Hickey's memory, cognition and brain function, given his history of lifelong alcohol consumption including the quantities of alcohol he consumed for the time periods indicated in the hospital records. This includes alcohol's known dose-dependent toxic and adverse effects on brain cells and brain function.

3. His expert opinion, to a reasonable degree of medical certainty, as to the nature of a Transient-Ischemic Attack ("TIA"), including that it lasts at most 24 hours and does not cause delirium, or acute confusional states, absent specific medical findings that are not present in James Hickey's medical records.
4. His expert opinion, to a reasonable degree of medical certainty, that the acute or sub-acute symptoms and signs James Hickey experienced in October 2015 (both prior to and during his hospitalization), including hallucinations, confusion, delirium, altered mental state, and related problems with memory, cognition and behavior, were not attributable to a TIA.
5. His expert opinion, to a reasonable degree of medical certainty, that at the time of James Hickey's hospitalization in October 2015, he likely suffered from a neurological disorder known as Wernicke's Encephalopathy. This diagnosis is likely given that the medical records document a specific eye movement disorder (nystagmus), gait imbalance (ataxia) and an acute confusional state (delirium). He will opine that these constitute the classic diagnostic triad of signs indicating a clinical diagnosis of Wernicke's Encephalopathy.
6. His expert opinion, to a reasonable degree of medical certainty, that Wernicke's Encephalopathy involves a gross impairment of memory and cognition, and that it is universally attributed to an acute cerebral deficiency of thiamine.
7. His expert opinion, to a reasonable degree of medical certainty, that Wernicke's Encephalopathy is most commonly caused by chronic alcohol abuse. The reason for this linkage is that chronic alcohol abuse can lead to both a nutritional deficiency of thiamine and a reduced ability of the brain to cope with that deficiency.
8. His expert opinion, to a reasonable degree of medical certainty, that delirium, otherwise known as an acute confusional state, is characterized by a global disturbance in attention, consciousness and cognition, with emotional and/or perceptual effects. Delirium is listed as a diagnosis in the Diagnostic and Statistical Manual of Mental Disorders.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Larry Krantz", with a long horizontal flourish extending to the right.

Larry Krantz

cc: Clerk of the Court (JMA)

## **CURRICULUM VITAE**

*Alan R. Jacobs, M.D.*

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URL: [www.neuroendocrinology.org](http://www.neuroendocrinology.org)

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## **EDUCATION**

1984- B.A. Duke University, Durham, NC  
1989- M.D. Duke University, Durham, NC

## **POSTDOCTORAL TRAINING**

### Internships and Residencies:

1989-1990 Intern in Medicine, Columbia-Presbyterian Med Center, NY, NY  
1990-1993 Resident in Neurology, New York Hospital-Cornell Med Center, NY

### Fellowships:

1993-1994 Fellow in Behavioral Neurology, Beth Israel Hospital, Boston, MA  
1994-1995 Fellow in Neuroendocrinology, Beth Israel Hospital, Boston, MA

## **LICENSURE AND CERTIFICATION**

1990 Diplomate, Federal Licensing Examination in Medicine  
1990- New York License Registration, License No.183799  
1993-1997 Massachusetts License Registration No.77739  
1994 - Diplomate, American Board of Psychiatry and Neurology, Certificate  
No.40468

## **ACADEMIC APPOINTMENTS**

1993-1995 Instructor in Neurology, Harvard Medical School  
1995-2001 Assistant Professor of Neurology, Weill Medical College of Cornell  
2001- Assistant Professor of Neurology, SUNY/Downstate Medical Center

### **HOSPITAL APPOINTMENTS**

1993-1995	Attending Neurologist, Beth Israel Hospital, Boston, MA
1995-2001	Assistant Attending Neurologist, The New York Hospital, New York, NY
2001-2005	Attending Neurologist, University Hospital of Brooklyn, Brooklyn, NY
2001-2005	Attending Neurologist, King's County Hospital, Brooklyn, NY

### **AWARDS AND HONORS**

1980	Phi Eta Zeta, Freshman Honor Society, Duke University
1984	Magna Cum Laude, Duke University

### **COMMITTEE ASSIGNMENTS**

Hospital:

1998-2000	Medical Records Committee, The New York Hospital
2002-2003	Neurology Resident Applicant Review Committee, SUNY/Downstate
2002-2003	College of Medicine Interview Committee, SUNY/Downstate

### **PROFESSIONAL SOCIETIES**

1990-	American Academy of Neurology
1995-	Association for Research in Nervous and Mental Disease
1996-2000	Professional Advisory Committee, Epilepsy Society of New York City
1996-	Member, Advisory Board, New York Menopause Center, New York
2000-	Cognitive and Behavioral Neurology Society
2009-2011	Member, Board of Directors, Alzheimer's Association, Hudson Valley, Rockland/Westchester, NY Chapter

### **RESEARCH FUNDING INFORMATION**

Past:	1999-2002	NIH, NIA Co-investigator Alzheimer's Disease Prevention Trial with Estrogens. PI, Mary Sano, PhD
	2000-2003	NIH Co-investigator The Effects of Hormone Replacement on Menopausal Women with Epilepsy. PI, Cynthia L. Harden, MD
	2002-2004	Alzheimer's Disease Cooperative Study Local PI A Multi-Center, Randomized, Double-Blind, Placebo Controlled Trial of Simvastatin to Slow the Progression of Alzheimer's disease. PI, Mary Sano, PhD

### **PRINCIPLE CLINICAL AND HOSPITAL SERVICE RESPONSIBILITIES**

1995-2001	Director, Neuroendocrine Unit, The New York Hospital, New York,
1995-2001	Attending Behavioral Neurologist, Cornell Neurobehavior and Memory Disorders Program, New York, NY
1996-1998	Attending Behavioral Neurologist, Elderserve Memory Disorders Center, Hebrew Home for the Aged at Riverdale, NY
1996-2001	Attending, Resident's Neurology Clinic, The New York Hospital, NY
2000-2001	Assistant Director, Cornell Neurobehavior and Memory Disorders Program, New York, NY
2001-2005	Member, Division of Behavioral and Cognitive Neurology, Alzheimer's Disease and Memory Disorders Center at University Hospital of Brooklyn

### **ADMINISTRATIVE RESPONSIBILITIES**

Referee, Journal of Neurology, Neurosurgery and Psychiatry  
Referee, Journal of Gender Specific Medicine  
Referee, Journal of Clinical and Experimental Neuropsychology

### **SELF REPORT OF TEACHING**

#### Local Contributions

##### Weill Medical College of Cornell

1996-2000	Neurology and Neuroscience Problem Based Learning Program Faculty Tutor (years 1-5); Case and Examination Writer (parkinsonism) and "Triple Jump" Examiner (years 1-5); Lecturer (Aphasia, years 1-5) 120 medical students (12 per tutorial); 120 medical students (lectures) 12 weeks/year (as Tutor); 6 hours/year (as Case Writer); 1 hour/year (as Lecturer)
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1996-1999	Neurology Physical Diagnosis Course Preceptor for examination of the nervous system (years 1-4) 12-15 medical students 20 hours/year
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1996-2001	Neurology Clerkship (4 <sup>th</sup> Year Students) Supervising attending, one-on-one, in outpatient Neurobehavior Clinic 1 medical student/1 month rotation
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##### New York-Presbyterian Hospital

- 1995-2000      Neurology Consultation Service and Inpatient Ward Attending  
Consult and Ward Attending  
2-4 medical students; 2 residents (Consult Attending); 4-8 medical  
students; 3 interns; 3 residents; 1 chief resident (Ward Attending)  
1 month/year
- 1995-2001      Memory Disorders Program-Weekly Seminar  
Co-Organizer and Presenter  
10-20 residents, fellows and faculty members  
1 hour/week
- 1996              Grand Rounds in Neurology  
“Clinical Issues in Neuroendocrinology”
- 1996              Resident’s Conference, Department of Medicine  
“Delirium and Acute Confusional States”
- 1997              Women’s Neurologic Health Conference  
“Menopause and Cognition”  
30-40 faculty members
- 1999              Update Your Medicine Course, Department of Medicine  
“Diagnosis and Management of Dementia”  
75-100 faculty members
- 1999              Resident’s Conference, Department of Neurosurgery  
“Diagnosis and Management of Pituitary Tumors”

SUNY/Downstate Medical Center

- 2001-              Neurobehavior Rounds – monthly clinical conference  
Co-organizer, Lecturer, Bedside rounds  
10-15 residents and medical students
- 2002-              Residents’ Basic Science Curriculum  
Co-planner and Co-organizer, Lecturer  
5-10 residents
- 2002-              Neurology 3<sup>rd</sup> year Medical Student Clerkship  
Oral Examiner  
5 medical students per rotation
- 2002              Neurology Inpatient Ward Service

	Teaching Attending 10-15 medical students 1 month/year
2003	Case-Based Learning Conferences Faculty Tutor 15-20 medical students
2003-	Neurology Consultation Service Consult Attending 5 residents, 2-5 medical students 1 month/year
2003	Neurology Inpatient Ward and Consultation Services Consult and Ward Attending 3 residents, 2 medical students July 2003
2003	Neurology Department Introductory Neurology Lectures Lecturer 7-10 residents 1 hour/week; July/August 2003

#### Advisory and Supervisory Responsibilities

##### Beth Israel Hospital/Harvard Medical School

1993-1994	Medical Student and Resident Supervisor Neurobehavior Rotation in Behavioral Neurology Unit 1 student and/or resident/month
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##### New York Presbyterian Hospital/Weill Medical College of Cornell University

1996-2001	Psychiatry Resident Supervising Attending One-on-one, in outpatient Neurobehavior Clinic 1 resident/month, 3-6 months/year
1997-2001	Geriatric Fellow Supervising Attending One-on-one, in outpatient Memory Disorders Clinic One fellow/month, 3-6 months/year
1997-2000	Duke Health Careers Summer Intern Mentor 1 undergraduate/summer



2000            Psychiatry Resident Externship, Supervising Attending  
One-on one, in outpatient Neurobehavior Clinic  
One 4<sup>th</sup> year resident from Boston University for 1 month

SUNY/Downstate Medical Center

2001-            Neurology Resident Supervising Attending  
One-on-one, in outpatient Memory Disorders Clinic  
1 resident/month, 1-3 months per year

2001-            Geriatric Psychiatry Fellow Dementia Rounds  
Supervising Attending  
2-5 fellows, 1 hour/week, every other week

Regional, National or International Contributions

Invited Presentations

1994    Grand Rounds in Neurology  
University of Vermont Medical Center

1995    Behavioral Neurology Unit Rounds  
Beth Israel Hospital, Boston, MA

1996    Grand Rounds in Neurology  
New York Medical College, Valhalla, NY

1999    Grand Rounds in Neurology  
North Shore University Hospital, Manhasset, NY

2000    Psychiatry Grand Rounds  
Bellevue Hospital, New York, NY

2000    Invited Speaker; Public School Nurses' Training Program  
Epilepsy Foundation of New York City

Moderator; ADAPT: Alzheimer's Disease Accredited Physician Training  
Program  
Program in Geriatrics/Office of CME, SUNY/Upstate Medical University

2001    Grand Rounds in Neurology  
Health Science Center at Brooklyn, Brooklyn, NY

2001    Psychiatry and Behavioral Sciences Grand Rounds  
Memorial Sloan-Kettering Cancer Center, New York, NY

- 2001 Invited Speaker; Hormonal Therapy. Complementary and Alternative Therapies for Epilepsy. New York University Medical Center, New York, NY
- 2001 Invited Speaker; Evolving Signs and Symptoms of Alzheimer's disease. Faculty-Staff Assistance Program. New York University, New York, NY
- 2002 Department of Medicine Grand Rounds  
St. Mary's Hospital, Brooklyn, NY
- 2002 Grand Rounds in Neurology  
Beth Israel Medical Center, New York, NY
- 2002 Grand Rounds in Neurology  
SUNY/ Downstate Medical Center, Brooklyn, NY
- 2002 Invited Speaker: Alzheimer's disease.  
Geriatrics Symposium. Somerset Medical Center, Somerville, NJ
- 2003 Grand Rounds in Neurology  
Brookdale Hospital Center, Brooklyn, NY
- 2003 Department of Medicine Grand Rounds  
Brookdale Hospital Center, Brooklyn, NY
- 2003 Grand Rounds in Neurology  
Long Island College Hospital, Brooklyn, NY
- 2003 Department of Medicine Grand Rounds  
St. Vincent's Catholic Medical Center, Brooklyn, NY
- 2003 Department of Medicine Grand Rounds  
Woodhull Hospital Center, Brooklyn, NY
- 2003 Department of Neurology Grand Rounds  
Staten Island University Hospital, Staten Island, NY
- 2004 Department of Medicine Grand Rounds  
Interfaith Hospital, Brooklyn, NY
- 2004 Department of Medicine Grand Rounds  
Woodhull Hospital Center, Brooklyn, NY
- 2004 Department of Family Practice Grand Rounds  
SUNY/Downstate Medical Center, Brooklyn, NY

- 2004 Department of Family Medicine Grand Rounds  
Jamaica Hospital Medical Center, Jamaica, NY
- 2004 Keynote Speaker 3<sup>rd</sup> Annual Medical Symposium: Update on the Diagnosis  
and Management of Alzheimer's disease. Alzheimer's Foundation of Staten  
Island, Staten Island, NY
- 2005 Department of Medicine Grand Rounds  
NYU Downtown Hospital, New York, NY
- 2006 Department of Neurology Grand Rounds  
SUNY/Stony Brook Medical Center, Stony Brook, NY
- 2006 Speaker and Moderator. PET/PET CT Imaging: Evaluation & Management of  
Alzheimer's Disease.  
College of Physicians and Surgeons of Columbia University  
New York, NY
- 2006 Presenter/Lecturer. Alzheimer's Association Dementia Specialist Course.  
Pace University, Mt. Pleasant, NY
- 2007 Roundtable Discussant. Hypergraphia and Hypographia: Two 'Diseases' of the  
Written Word. Philoctetes Center for the Multidisciplinary Study of Imagination,  
New York, NY
- 2008 Lecturer. Public Forum on Healthy Brain Aging. 92<sup>nd</sup> Street YMCA. New York,  
NY
- 2008 Lecturer. The Nature of Dementia in Parkinson's disease. Ridgefield  
Crossing. Ridgefield, CT
- 2008 Department of Geriatrics Clinical Rounds.  
St. Vincent's Hospital, New York, NY
- 2008 Lecturer. Healthy Brian Aging. Chappaqua Library Lecture Series.  
Chappaqua, NY
- 2009 Invited Speaker. New Approaches for Brain Fitness. 37<sup>th</sup> Staying Sharp  
Seminar. NYU Langone Medical Center. New York, NY
- 2009 Invited Speaker. Dementia Screening. Putnam Geriatric Committee.  
Carmel. NY.

Invited Speaker. Understanding Memory and Memory Loss. Alzheimer's Association Annual  
Putnam Spring Seminar. Putnam Hospital Center. Putnam, NY.

- 2009 "Expert Speaker". Momentum In Science. "The Alzheimer's Project". The Osborn Retirement Community. Rye, NY
- 2010 Invited Speaker. Issues in the Diagnosis and Management of Dementia and Alzheimer's Disease. Northern Westchester Geriatric Committee. Ossining, NY
- 2010 Grand Rounds in OB/GYN. Heads and Tales: An Introduction to Clinical Neuroendocrinology. Putnam Hospital Center. Carmel, NY
- 2010 Keynote Speaker. Alzheimer's Disease: Addressing Behaviors. Alzheimer's Association Annual Putnam Spring Seminar. Mahopac, NY
- 2010 Invited Speaker. Healthy Brain Aging. Spring Fund Raising Fashion Show for Northern Westchester Hospital Center. Mount Kisco, NY
- 2011 Keynote Speaker. Alzheimer's Disease: Coping Skills for the Caregiver. Alzheimer's Association Annual Putnam Spring Seminar. Carmel, NY
- 2011 Invited Speaker. What My Children Should Know. 2nd Annual Senior Health Fair. Northern Westchester Hospital. Mount Kisco, NY
- 2012 Invited Speaker. The Latest Strides in the Fight Against Alzheimer's Disease. Alzheimer's Association Annual Putnam Spring Seminar. Carmel, NY
- 2012 Invited Speaker. Finasteride, the Post-Finasteride Syndrome and Its Relationship to a Case of a Transgender Woman. Anderson Cooper Live.
- 2013 Keynote Speaker. Latest Studies & Advances in Alzheimer's Disease. Hudson Valley Alzheimer's Association Annual Spring Seminar. Carmel, NY.
- 2014 Keynote Speaker. Alzheimer's Disease: What's going on? Hudson Valley Alzheimer's Association Annual Spring Seminar. Brewster NY.
- 2016 Invited Speaker. International Society of Hair Restoration Surgery. Panelist. Post-Finasteride Syndrome.

#### Web-Based Activities

2009 – Present Monthly Videoblogger. The Medscape Neurology Minute. [www.Medscape.com/Neurology](http://www.Medscape.com/Neurology).